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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,931	07/17/2006	Karl-Otto Platz		3762

7590 07/23/2007
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EXAMINER

FASTOVSKY, LEONID M

ART UNIT	PAPER NUMBER
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3742

MAIL DATE	DELIVERY MODE
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07/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,931

Applicant(s)

PLATZ, KARL-OTTO

Examiner

Leonid M. Fastovsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

3Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-9 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dawlr (GB2248160) in view of Daijogo et al 95,936,696) and further in view of Lang et al (6,476,358) and Mischel .

Dawlr discloses a mirror comprising a first transparent glass plate 2 at least partly provided on the rear side with a reflecting coating 3, the first glass plate 2 is bonded to a second glass plate 4 with an adhesive layer 5,6 and having a thickness of 0.38 mm, an electrically conductive heating coating 7 obtained by pyrolysis (page 11, lines 15-20) and integrated electrical means 8, 9 and an electrical cord 15 arranged on the side of the second glass 4 (Fig. 4). As for claim 7, Dawlr discloses a circumferential seal 20. However, Dawlr does not disclose a transparent adhesive layer and the first glass 2 comprising half-reflecting portions and illumination means – a diode, and isolation paths.

Daijogo discloses a mirror with a transparent adhesive layer 57.

Lang discloses a mirror 2 having a reflective surface 10 with a partially reflective portion of the plate 10 with an aperture 58 and illumination means –a diode 42 (col. 4, lines 5-40 and Fig. 1). It would have been obvious to one having ordinary skill in the art to

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modify Dawlr's invention to include a transparent adhesive layer as taught by Daijogo in order to increase utilities of his mirror, and a partially reflective portion and a diode as taught by Lang in order to provide illumination of the mirror and made his mirror having half-reflecting portions and the thickness of the layer 5,6 about 10-12 mm because it is deemed that the particular use of the mirror will be determined by the user having a desired application in mind.

Mischel, Jr. discloses a heated mirror comprising a main heating layer 20 having integrated electrical means—leads 60a and 60b; the layer is divided into a plurality of conductor paths 36 and 38 which are separated from each other by isolation paths 68 and 70 (col. 6, lines 54-68).

It would have been obvious to one having ordinary skill in the art to modify the invention of Dawlr in view of Daijogo and Lang to include isolation paths in their heating mirror in order to prevent the leads from shorting (col. 6, lines 65-68 and col. 7, lines 1-5).

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dawlr in view of Daijogo and Lang and further in view of Brean (3,722,984).

Dawlr in view of Daijogo and Lang discloses substantially the claimed invention, but does not disclose photocells. Brean discloses a heated mirror comprising a main heating layer 16 having switching means—a photocell 50.

It would have been obvious to one having ordinary skill in the art to modify the invention of Dawlr in view of Daijogo and Lang to include a photocell in their heating mirror in order to control usage of light generated by the mirror and it is deemed that the

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particular use of the mirror will be determined by the user having a desired application in mind.

Response to Arguments

4. Applicant's arguments with respect to claims 1-2 and 4-12 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid M. Fastovsky whose telephone number is 571-272-4778. The examiner can normally be reached on M-Th. 8.00 am -6.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'L. Fastovsky', written in a cursive style.

Leonid M Fastovsky

Examiner

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Imf